

# EXHIBIT K

At a(an) IAS/Special Term Part \_\_\_\_ of the Supreme Court of the State of New York, held in and for the County of Westchester, at the Courthouse thereof, located at 111 Dr. Martin Luther King Jr. Boulevard, White Plains, New York, on the \_\_\_\_ day of February, 2015.

**PRESENT: HONORABLE \_\_\_\_\_ J.S.C.**  
Justice Presiding

STATE OF NEW YORK  
SUPREME COURT                      COUNTY OF WESTCHESTER

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**BDRN, LLC, BDRN PHARMACY, LLC, and JOHN DOE,**  
*Plaintiffs,*  
*-against-*

**UNITEDHEALTHCARE OF NEW YORK, INC.,  
UNITEDHEALTHCARE INSURANCE COMPANY OF  
NEW YORK, and OPTUMRX, INC.**

*Defendants.*

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**ORDER TO SHOW CAUSE  
IN A CIVIL ACTION  
WITH A TEMPORARY  
RESTRAINING ORDER**

Index No. \_\_\_\_\_

**ORAL ARGUMENT IS  
REQUESTED**

Upon the Verified Complaint (“Complaint”) of Plaintiffs BDRN, LLC (“BDRN-NJ”), BDRN Pharmacy, LLC (“BDRN-NY” and, together with BDRN-NJ, “BDRN”) and John Doe, verified on January 30, 2015, and upon the Memorandum of Law, and upon the Affidavit of John Doe, sworn to on January 16, 2015, and upon the Affidavit of Nelson Escoto, RPh, sworn to on January 30, 2015, and upon the Affidavit of Selig Corman, RPh, sworn to on December 31, 2014, and upon the Affirmation of Joseph A. Murphy, dated January 30, 2015, and upon all of the exhibits, prior pleadings and proceedings heretofore had herein,

Let the Defendants, UnitedHealthcare of New York, Inc. (“UHCNY”), UnitedHealthcare Insurance Company of New York (“UHCICNY”, and together with UHCNY, “United”) and OptumRx, Inc., or their attorneys show cause at IAS Part \_\_\_\_ Room \_\_\_\_\_ of this Court, to be

held at the Courthouse, located at 111 Dr. Martin Luther King Jr. Boulevard, White Plains, New York, on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon of that day, or as soon thereafter as Counsel may be heard, why an order should not be made preliminarily enjoining Defendants, their agents, employees and representatives from refusing to allow BDRN to participate in United's Specialty Pharmacy Network for Pharmacy Benefit during the pendency of this action; and awarding Plaintiffs such other and further relief as this Court may deem proper.

**NOW**, upon the Complaint in the above-captioned proceeding, and upon all of the papers and proceedings heretofore had herein, and sufficient cause appearing therefore, it is

**ORDERED**, that upon the execution of this Order to Show Cause and service upon Defendants as directed herein, and pending and until further Hearing and Order of this Court, Defendants as soon as practicable shall allow BDRN to participate in United's Specialty Pharmacy Network for Pharmacy Benefit; and it is further,

**ORDERED**, that service of a copy of this Order to Show Cause, together with the supporting papers upon which it is granted, upon the Office of United's General Counsel by overnight mail to \_\_\_\_\_, and upon the Office of Defendant OptumRx, Inc.'s General Counsel by overnight mail to \_\_\_\_\_ on or before the \_\_\_\_\_ day of \_\_\_\_\_, 2015, shall be deemed good and sufficient service; and it is further,

**ORDERED**, that answering affidavits, if any, must be served on Plaintiffs' counsel, Hiscock & Barclay, LLP, Attention Joseph A. Murphy, 80 State Street, Albany, New York 12207 as to be received no later than \_\_\_\_\_, 2015, and reply affidavits, if any, must be served upon the Office of the United's General Counsel by confirmed fax

transmission (without exhibits) and subsequent service by overnight mail (with exhibits), and upon the Office of Defendant OptumRx, Inc.'s General Counsel by confirmed fax transmission (without exhibits) and subsequent service by overnight mail (with exhibits) on or before the \_\_\_\_ day of \_\_\_\_\_, 2015; and it is further,

**ORDERED**, that Exhibit B (United Questionnaire) to the Affirmation of Joseph A. Murphy, constituting a confidential and propriety business document and having been submitted in hard copy, be sealed pursuant to Section 216 of the Administrative Rules of the Unified Court System & Uniform Rules of the Trial Courts.

**DATED:** \_\_\_\_\_, 2015  
White Plains, New York

**ENTER:**

\_\_\_\_\_  
Hon. \_\_\_\_\_

Justice of the Supreme Court

HISCOCK & BARCLAY, LLP